

ENTERED

September 27, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. 2:19-CR-1146-1
	§	
BENJAMIN RAMIREZ	§	

OPINION AND ORDER *SUA SPONTE* CONTINUING CASE

On September 27, 2019, new counsel was appointed for the Defendant, and new counsel will necessarily need time to become familiar with the client and the case.

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered the circumstances, the Court finds that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, the Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial, and the period of the continuance is excluded from speedy trial computation.

The Court *sua sponte* continues this case and schedules the final pretrial conference for **October 30, 2019, at 8:00 a.m.** before undersigned and schedules the jury selection and trial for **November 12, 2019, at 8:30 a.m.** before Hon. David S. Morales.

ORDERED this 27th day of September, 2019.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE